



County of Los Angeles CHIEF EXECUTIVE OFFICE

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WILLIAM T FUJIOKA
Chief Executive Officer

January 8, 2014

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Second District

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To: Supervisor Don Knabe, Chairman
Supervisor Gloria Molina
Supervisor Mark Ridley-Thomas
Supervisor Zev Yaroslavsky
Supervisor Michael D. Antonovich

From: William T Fujioka
Chief Executive Officer

SACRAMENTO UPDATE

Executive Summary

This memorandum contains reports on the following:

- **Pursuit of Position on County-Sponsored Legislation**
 - **Special Vacancy Election Reimbursement.** The County will pursue County-sponsored legislation to require the State to reimburse counties for special vacancy elections, including reimbursing counties for special election expenses incurred between January 1, 2013 and December 31, 2013.
 - **SB 498 (Lara).** The County will sponsor SB 498 which would revise the definition of biomass conversion to include, in addition to controlled combustion, any other conversion technology.
- **Status of County-Sponsored Legislation**
 - **County-sponsored AB 1065 (Holden)** - related to Mentally Disordered Offenders, was amended on January 6, 2014 and is set for hearing on January 14, 2014.
 - **County-co-sponsored SB 473 (Block)** - related to human trafficking is currently in the Assembly Inactive File.

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Pursuit of Position on County-Sponsored Legislation

Special Vacancy Election Reimbursement

Consistent with Board policy to support proposals to provide County reimbursement for the costs incurred in conducting special elections to fill vacancies in State and Federal offices, we will pursue County-sponsored legislation that would: 1) require the State to reimburse counties for conducting legislative and congressional special elections; and 2) require the State to pay counties for expenses incurred for special elections held between January 1, 2013 and December 31, 2013.

Existing law provides that expenses authorized and necessarily incurred in the preparation for and conduct of elections are to be paid from county treasuries, except when called and paid by the governing body of a city. According to the Registrar-Recorder/County Clerk (RR/CC), the Department administers numerous special vacancy elections at the cost of the County. **In 2013 alone, RR/CC reports that the County spent an estimated \$12 million to prepare for and conduct nine special vacancy elections. From 2007 through 2011, the County ran 11 special elections at a total cost of \$16.7 million.**

The proposed legislation would allow the County to be reimbursed for the future costs to conduct special vacancy elections, as well as to recoup special election costs incurred in 2013. Specifically, it would require the State to reimburse counties for all expenses incurred to conduct elections called by the Governor to fill a vacancy in the office of State Senator, Member of the Assembly, United States Senator or Representative in Congress. The proposed bill would provide that where the proclaimed election is consolidated with a local election, the State would reimburse counties only the additional election expenses. In addition, the legislation would require the State to reimburse counties for special election expenses incurred on or after January 1, 2013 and before December 31, 2013. RR/CC notes that this proposal is crucial to recovering the high costs to conduct special elections.

County-sponsorship of this measure is consistent with the Board's action of May 26, 2009, directing the Sacramento advocates to pursue legislation to fully support the reimbursement of costs associated with the administration of special vacancy elections for State legislative and Congressional seats. The proposed legislation would reinstate the State's reimbursement commitment to local governments as previously reflected in AB 37 (Chapter 39, Statutes of 1993), which along with subsequent enacted legislation, reimbursed counties for the costs of special elections from 1993 through 2007. **County-sponsored SB 141 of 2011** was introduced to address this concern, but failed to pass out of the Senate.

Therefore, unless otherwise directed by the Board, consistent with existing Board-approved policy to support proposals to provide County reimbursement for the costs incurred in conducting special elections to fill vacancies in State and Federal offices, **the Sacramento advocates will pursue County-sponsored legislation to require the State to reimburse counties for special vacancy elections, including reimbursing special election expenses incurred between January 1, 2013 and December 31, 2013.**

SB 498 (Lara), which as amended on January 6, 2014, would revise the definition of the term “biomass conversion” to include, in addition to controlled combustion, any other conversion technology, as defined.

SB 498 is intended to accomplish the objectives of **County-sponsored SB 804 of 2013**, which was vetoed by the Governor on October 11, 2013. In his veto message, the Governor noted that while he agreed with the bill’s intent, he found some of the late amendments to be overly complicated and unworkable. The Governor also directed the California Department of Resources, Recycling and Recovery, in conjunction with the County, and other stakeholders, to develop an approach that would apply to all biomass facilities irrespective of the technologies used, and to pursue those changes in a bill in 2014.

The January 6, 2014 amendments to SB 498 are intended to address the concerns the Governor expressed by making clear that conversion technologies may process biomass material and by clearly defining conversion technology as a biological, chemical or thermal process that converts biomass into energy or fuel.

The Department of Public Works indicates that SB 498, as amended, would broaden and clarify the definition of biomass conversion to allow for cleaner, non-combustion conversion technologies to also be permitted under the definition. Currently, the definition is limited to only facilities that combust biomass.

Therefore, unless otherwise directed by the Board, consistent with existing Board-approved policy to support proposals that clarify the definition of conversion technologies and the County’s previous sponsorship of SB 804 of 2013, **the Sacramento advocates will sponsor SB 498 and pursue its passage.**

SB 498 is scheduled for hearing in the Senate Environmental Quality Committee on January 15, 2014.

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Status of County-Sponsored Legislation

County-sponsored AB 1065 (Holden), which as amended on January 6, 2014, would provide that in the event the decision to certify an individual as a Mentally Disordered Offender is reversed, the court would be required to stay the release order for 30 working days to allow for an orderly release of the offender. The bill also requires the California Department of Corrections and Rehabilitation, upon determination that the offender is eligible for county supervision under Post-Release Community Supervision, to notify the probation department of the county of supervision within five working days of the court order and to work with the county to coordinate the orderly and safe release of the offender. AB 1065 is set for hearing in the Assembly Public Safety Committee on January 14, 2014.

County co-sponsored SB 473 (Block), which as amended on September 3, 2013, would add human trafficking to the list of felony offenses that may be used to establish a pattern of criminal gang activity pursuant to Proposition 21 of 2000 and make an individual eligible for enhanced criminal sentences and penalties. SB 473 passed the Assembly Appropriations Committee by a vote of 17 to 0 on August 30, 2013 and was placed on the Assembly Inactive File by the author. This office and the Sacramento advocates are working with Senator Block and Legislative leadership to pursue further amendments to restore previous provisions of the bill that included pimping and pandering as eligible offenses for the Proposition 21 enhanced sentencing. SB 473 has not yet been set for hearing.

We will continue to keep you advised.

WTF:RA
MR:KA:IGEA:ma

c: All Department Heads
Legislative Strategist